

Item No. 10.	Classification: Open	Date: 19 October 2021	Meeting Name: Cabinet
Report title:		Empty Homes Action Plan	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Darren Merrill, A Safer, Cleaner Borough	

FOREWORD - COUNCILLOR DARREN MERRILL, CABINET MEMBER FOR A SAFER, CLEANER BOROUGH

London is in the middle of a housing crisis, and this is clear in Southwark too – there are over 15,000 households on our council waiting list looking for a secure, genuinely affordable place to call home – half of these households include children. We house 3,400 families in temporary accommodation, sometimes in severely overcrowded conditions.

Whilst we are on track to meet our own commitment to build 2,500 new council homes by May 2022 - with many in the process of going through planning or already being built – we also know there are a high number of homes in our borough being left empty which should be available to residents now.

There has already been notable success as we have brought homes back into use amongst our own council stock, including 231 homes in 2020-21 - giving dozens of families an affordable place to raise their families. However, whilst we do everything we can to keep all of our stock in use and expand our council house numbers further, this is only a small part of the challenge we face. We also need the private sector to do its bit to bring its properties back into use at an affordable price.

This report and the action plan sets out the challenge in detail and seeks to understand the reasons for so many private homes being left empty. This is especially important when so many are left furnished but unoccupied. Each empty private home represents unacceptable waste, which should be a valued home for our residents, providing them all the life chances that a high-quality secure home can bring.

I am dismayed at the waste represented by the large number of empty private homes we have in the borough. It is clear that as a council, we have limited direct powers to intervene in the private housing market, but we are using every tool at our disposal to encourage landlords to use their asset for a home. This report also sets out how we will campaign for greater powers to disincentivise this waste, and ensure that homes cannot continue to be left empty across our borough.

RECOMMENDATIONS

1. To approve the new detailed Southwark Empty Homes Action Plan 2021 in Appendix 1.

BACKGROUND INFORMATION

2. Southwark, like many other London boroughs and other councils across the country has a large number of empty homes (see Appendix 1). 75% of these homes are in the private sector where there are significant limits to the powers that local authorities have to return these homes to use.
3. There are a number of reasons why the number of empty homes are high in Southwark:
 - There is an increased churn associated with a significant private rented sector, larger than many boroughs.
 - There are a high number of empty properties situated within large scale regeneration schemes such as at Aylesbury Estate, and some where fire risk assessment work has identified a need to vacate blocks and take corrective action such as at Ledbury Estate. Some fluctuation in numbers is expected as essential safety work is conducted that will mean that blocks, such as Marie Curie House, will need to be decanted.
 - There are a high number of new properties being built but which can take some time to sell or let.
 - Southwark is attractive for overseas buyers that may only occupy occasionally or leave vacant for speculative reasons.
 - The COVID-19 pandemic has meant that many students have not chosen to rent in the private rented sector while their courses have been mainly online.
 - When a resident passes away, it can take some time for a property to then be brought back to use, especially through probate proceedings. Sadly the pandemic has also increased the number of such deaths.
4. There is a growing demand for housing as London faces a severe housing crisis. Empty homes represent a needless waste and a lost resource, and empty homes can also create a serious blight on a neighbourhood.
5. The council is committed to taking action to reduce the number of empty homes in our borough, so more local people can move into them', as set out in the Borough Plan 2018-2022
<https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan>
6. In February 2021 Cabinet agreed to create a new empty homes action plan and agreed on some actions to be included to bring empty homes back in to use and increase the supply of homes for homeless households in Southwark
<https://moderngov.southwark.gov.uk/documents/s93304/Report%20Empty%20Homes%20Action%20Plan.pdf>
7. There has already been some notable success including:
 - Bringing 231 long-term empty homes back into use in 2020/21, considerably exceeding the target of 25. The council is also on track to deliver the 2021/22 target which is 100.
 - The introduction of a new reporting route for empty homes to make it easier to report empty homes and to find out information on letting the homes to the council

<https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/help-with-empty-properties>

- Appointing a contractor to conduct an audit of empty homes to help improve our understanding of the reasons for this and the types of support which would help to bring the properties back in to use
 - A re-launch of the incentives programme for letting properties to the council to help meet housing need
- <https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/earn-money-from-your-property>
- A review of the councils grant and loans programme which will be presented to the council's Housing Investment Board in the autumn
 - The council has temporarily brought back homes in to use on regeneration schemes. This includes 103 properties on the Ledbury Estate, nine properties on Tustin Estate 36 on Churchyard Row and is bringing back 80 units on the Aylesbury Estate.

KEY ISSUES FOR CONSIDERATION

8. Cabinet is asked to approve the new detailed Southwark Empty Homes Action Plan (Appendix 1).
9. The actions have been grouped by the following five themes:
 - Taking a zero tolerance approach to long term empty private sector homes
 - Working with residents and property owners to quickly bring homes back in to use
 - Improving our understanding of private sector empty homes to better target action and support
 - Campaigning for more resources and more effective powers to tackle empty homes in the private sector
 - Reducing the number of empty council homes.
10. The targets have been made smarter and provide more detail on how the proposals will be delivered.

Next steps

11. The Empty Homes Action Plan will be published on the council's website.
 12. A cross council Empty Homes Action Plan Group will continue to monitor progress on the action plan, and provide updates to the lead Cabinet Member and through the council's performance challenge mechanisms.
 13. The council will launch a campaign to raise awareness of the support and incentives to bring properties back in to use, but also of the potential penalties and powers which may be used if action is not taken. One of the aims is to get more good quality homes for homeless households through the council's social lettings agency.
- <https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/earn-money-from-your-property>

14. The council will continue to make representations to government concerning the limitations of legal powers and national policy with regard to the ability of local authorities to take action to return empty properties to use. The Council has met with and is currently in dialogue with MHCLG and DWP to set out our concerns about the limitations of current powers. The council is also calling for new planning powers to ensure properties do not sit empty upon completion.
15. The council will continue to work with our relevant stakeholders, supporters and allies in this debate who want to bring empty homes back into use. This includes third party campaign groups, think tanks and charities.
16. The council also has concerns about the high levels of short term letting in the borough and this is a significant problem for most inner-London boroughs. Although this does not contribute to the empty homes figures in the borough, it represents a significant lost resource for households seeking long-term settled homes. We will continue to take action within existing powers to limit short-term lettings and will work with London Councils and others to lobby for action in this area.

Policy framework implications

17. In December 2020 Southwark Council agreed the new Southwark Housing Strategy 2020. This contained a commitment to tackling empty homes and making better use of existing properties. This included an action to develop an empty homes action plan. The February 2021 Cabinet Paper on the Empty Homes Action Plan agreed the overriding actions to be included in the action plan. This report sets out further detail on these actions in the attached Empty Homes Action Plan.

Community, equalities (including socio-economic) and health impacts

Community and equalities impact statement

18. The Empty Homes Action Plan should benefit all communities through reducing the number of empty homes in the borough and therefore ensuring more homes are used to house our local residents. The action plan should not have any negative impacts in relation to any of the protected characteristics under the Equality Act.

Health impact statement

19. The Empty Homes Action Plan will have a positive impact on health. Empty homes can be a blight on a neighbourhood and can therefore have negative impacts on mental health. The action plan also contains actions which would help to improve the condition of properties as they are brought back into use, which will help to improve health. Reducing the number of empty homes should also assist in reducing the number of households who are living in unsuitable accommodation. Some property owners may be stressed about the burden of what to do with their empty property and therefore the action plan and campaigns to raise awareness of the options for empty properties may assist in this area.
20. The empty properties brought back into use in the Ledbury towers, Churchyard

Row and Aylesbury have allowed those families who were living in hostels with shared facilities to live in self-contained accommodation. This has had important health implications during the pandemic as it has allowed residents to maintain social distancing and if necessary to isolate safely.

21. Based on all the assessments above the recommendation is that the action plan should be agreed, to continue the policy as set out in the previous Cabinet report. The equality and health analysis demonstrates that the policy shows no potential for discrimination and the council has taken all appropriate opportunities to advance equality of opportunity and foster good relations between people with different protected characteristics.

Climate change implications

22. The Empty Homes Action Plan includes actions which will help return properties to use, which will contribute to making better use of the existing supply of properties. This has a lower impact on carbon emissions compared to building new homes. In addition, the provision of grants and loans will result in improvements to the existing housing stock which should help to make them considerably more energy efficient.

Resource implications

23. There are many teams that are contributing to the delivery of the action plan including:
 - The Council Tax team that produce the empty homes returns
 - The Private Sector Housing and Adaptations Team within Asset Management leading on initiatives and enforcement
 - The Regeneration Team, Resident Services and Housing Solutions working together on use of empty council homes awaiting redevelopment for use as temporary accommodation
 - External Affairs in supporting the lobbying campaign; and
 - The Private Sector Enforcement team in Environment and Leisure.
24. There are no immediate resource implications from this report. Where possible the council will reduce any resource implications from the action plan through use of its own communications tools, and use of existing staff.

Legal implications

25. As per the previous report, there are no direct legal implications arising from this report. There may be further work required to fully understand the legal implications if the council decides to use enforcement powers such as Empty Dwelling Management Orders to address issues with particular properties. This would be covered in a separate report as required.

Financial implications

26. Officers are reviewing the resources required to deliver the Empty Homes Action Plan, including identifying a capital fund for the compulsory purchase and refurbishment of long-term empty homes. We will seek to support the efforts to

supply homes for homeless households in Southwark.

Consultation

27. The council consulted on the Southwark Housing Strategy 2020 as set out in the Cabinet report to agree the Housing Strategy in December 2020. The Empty Homes Action Plan will assist in part with the delivery of the housing strategy. There are no plans for further consultation at this stage.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

28. The report seeks cabinet approval of the Southwark Empty Homes Action Plan. The action plan references the limited 'last resort' legal powers available to a local authority to deal with empty properties in its area. The Director of Law and Governance and her staff will provide advice to officers on the development of any policies or strategies to support the action plan involving the use of legal powers and on legal action contemplated on specific properties.
29. Cabinet members, when making a decision on the recommendations in this report are required to have due regard to the public sector equality duty (PSED) in section 149 of the Equality Act 2010. This duty requires the council to consider all individuals when carrying out its functions. Specifically, to have due regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Cabinet members are referred to the Community, Equalities (including socio-economic) and Health Impacts statement in the report.

Strategic Director of Finance and Governance (H&M 21/084)

30. This report seeks cabinet approval of the Empty Homes Action Plan, which is designed to accelerate and increase the number of empty properties brought back into occupation across the borough. There are no revenue budget implications arising at this stage as it is proposed to be resourced internally within the existing staffing establishment across the council as highlighted in the report. Any future capital funding requirements will be considered during the autumn and reported to Cabinet as required, but it should be noted that both the council's general fund and housing investment programmes are under significant financial pressure.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark's Borough Plan 2020 – 2022	160 Tooley Street, SE1 2QH	Rob Weallans Tel: 020 7525 1217
Link (please copy and paste into browser): http://moderngov.southwark.gov.uk/documents/s92006/Appendix%20A%20Southwarks%20Borough%20Plan%202020.pdf		
Southwark Housing Strategy 2020	160 Tooley Street, SE1 2QH	Rob Weallans Tel: 020 7525 1217
Link (please copy and paste into browser): http://moderngov.southwark.gov.uk/documents/s92380/Appendix%20A%20-%20Southwark%20Housing%20Strategy%202020.pdf		

APPENDICES

No.	Title
Appendix 1	Southwark Empty Homes Action Plan 2021

AUDIT TRAIL

Cabinet Member	Councillor Darren Merrill, A Safer, Cleaner Borough	
Lead Officer	Michael Scorer, Strategic Director of Housing and Modernisation	
Report Author	Perry Singh, Strategy and Business Support Manager	
Version	Final	
Dated	7 October 2021	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	7 October 2021	